

## ENVIRONMENTAL REVIEW COMMITTEE REPORT

**ERC MEETING DATE:** March 19, 2012

**Project Name:** Barbee Mill Joint Use Dock

<b>Owner:</b>	Alan Bohling 4051 Williams Avenue North Renton, WA 98056	Charles Wu 4029 Williams Avenue North Renton, WA 98056
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**Applicant:** Jeff Sidebotham or Ted Burns  
Seaborn Pile Driving Co.  
9311 SE 36<sup>th</sup> Street #204  
Mercer Island, WA 98040

**Contact:** Same as applicant

**File Number:** LUA12-004, ECF, SM

**Project Manager:** Gerald Wasser, Associate Planner

**Project Summary:** The applicant is requesting Environmental (SEPA) Review and approval of a Shoreline Substantial Development Permit for the construction of an 80-foot long, 420-square foot, joint use dock with a boatlift on either side in association with two attached residential units on the shore of Lake Washington, a Shoreline of Statewide Significance. The dock would be supported by eight 8-inch diameter epoxy-coated steel pilings. The Renton Shoreline Master Program designates this area as a Shoreline High Intensity Environment. The proposed site encompasses two lots (5,403 sf and 5,383 sf) with a total area of 10,786 square feet in the Residential - 10 du/acre zone. All materials, equipment, and personnel would be transported to the site by construction barge. The dock framework would consist of treated glu-laminated beams, treated internal framing lumber and polypropylene "Thru-Flow" grating decking mounted to galvanized H beam pile caps. The freestanding, pre-fabricated, 10-foot by 16-foot boatlifts would sit on the lake bottom on four aluminum foot pad bases. All construction and installation would take place within the State of Washington Department of Fish and Wildlife construction window of July 16 - December 31.

**Project Location:** 4051 and 4029 Williams Ave North

<b>Exist. Bldg. Area SF:</b>	N/A	<b>Proposed New Bldg. Area (footprint):</b>	N/A
		<b>Proposed New Bldg. Area (gross):</b>	N/A

<b>Site Area:</b>	10,786 sf	<b>Total Building Area GSF:</b>	N/A
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**STAFF RECOMMENDATION:** Staff Recommends that the Environmental Review Committee issue a Determination of Non-Significance - Mitigated (DNS-M).

### Project Location Map



## **PART ONE: PROJECT DESCRIPTION / BACKGROUND**

The applicant is proposing to construct a joint use residential dock on the shore of Lake Washington. The dock would have a fully grated 30-foot long, 3-foot, 10 ½ -inch wide entry and a fully grated 50-foot long, 5-foot, 10 ½ -inch pier with a total area of 420 square feet. The dock would be supported by eight 8-inch diameter epoxy-coated steel pilings. The applicant is also proposing the installation of two freestanding, pre-fabricated, 10-foot by 16-foot boatlifts which would sit on the lake bottom on four aluminum footpad bases. The bottom of the deck at its lowest point is proposed to be 1.5 feet above the Ordinary High Water Line (OHWL) and 4 feet above the OHWL at its highest point. Native vegetation has been planted in conjunction with the upland development of the two properties. Additional native vegetation would be planted in association with the proposed dock.

Construction and installation would occur during the authorized Washington Department of Fish and Wildlife (WDFW) construction window for this location, July 16 through December 31. All materials, equipment, and construction personnel would be transported to the site via construction barge from the contractor's facility. All dock sections would be pre-fabricated and delivered to the site by construction barge.

The joint use dock would provide moorage and facilitate access to Lake Washington for the residents of the two upland properties and their guests. The subject properties have approximately 107 feet of lakefront with an existing bulkhead.

The subject properties are part of the Conner Homes at Barbee Mill project which includes 112 lots ranging in size from 1,800 square feet to 6,000 square feet. The lots are for the development of townhouse units, most of which are duplex structures along with some 3-unit, 4-unit and 5-unit structures.

The overall site was formerly a lumber mill facility. The former industrial land is in the process of being developed for residential dwellings. In order to restore the former industrial site to a site suitable for a residential waterfront subdivision, the mill buildings were demolished, fill soils were removed from behind the bulkhead, asphalt paving, a pier, a wooden bulkhead and piling associated with the mill operation were removed; and shoreline restoration was accomplished. The shoreline restoration was accomplished by the Barbee Mill Company upon cessation of the mill operation.

## **PART TWO: ENVIRONMENTAL REVIEW**

In compliance with RCW 43.21C.240, the following environmental (SEPA) review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

### **A. Environmental Threshold Recommendation**

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials:

**Issue a DNS-M with a 14-day Appeal Period.**

## **B. Mitigation Measures**

1. Prior to any construction activities a silt containment curtain shall be installed around the project work area to minimize any impacts from disturbed sediments which may occur during pile driving activities. This silt curtain shall remain in place until construction activities are completed. Any construction debris which enters Lake Washington shall be immediately retrieved and placed on the construction barge.
2. Prior to completion of construction the applicant shall provide the Planning Division Project Manager with proof that emergent plantings have been placed in front of the bulkhead associated with the subject properties and has placed spawning gravel along the nearshore area of the properties.
3. Construction shall take place only during the Department of Fish and Wildlife approved construction window from July 16 through December 31.
4. The applicant shall follow the recommended Conservation Measures of the Biological Evaluation/Habitat Data Report, dated November 23, 2011, prepared by Marine Surveys & Assessments.

## **C. Exhibits**

Exhibit 1	Zoning Map
Exhibit 2	Existing Site Plan
Exhibit 3	Proposed Site Plan
Exhibit 4	Proposed Detail View & Proposed Elevation View
Exhibit 5	Planting Plan
Exhibit 6	Construction Mitigation Plan

## **D. Environmental Impacts**

*The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:*

### **1. Water (Lakes)**

**Impacts:** The project is proposed to occur over the waters of Lake Washington. The shoreline designation in this area is "Shoreline High Intensity" (RMC 4-3-090C.4). Lake Washington is a Shoreline of Statewide Significance and is included as a Shoreline of the State. As a Class 1 lake, it is a perennial salmonid-bearing body of water. May Creek, a Shoreline of Statewide Significance is located to the south of the proposed project. However, the proposal would not impact May Creek.

The applicant submitted a Biological Evaluation/Habitat Data Report, dated November 23, 2011, prepared by Marine Surveys & Assessments. This document conforms to the requirements for Habitat Data Reports (RMC 4-8-120D). The report is referenced here and in the Vegetation and Wildlife sections, below.

As the proposed dock would be constructed on lands covered by water, there is a potential for sediments to be dispersed within Lake Washington, potentially affecting the water quality of the lake. The applicant has provided a Construction Mitigation plan for the proposal (received January 23, 2012). That document states that a containment boom will be utilized for erosion and debris control.

Staff recommends that the applicant also adhere to the Mitigation Measure specified below.

**Mitigation Measures:**

1. Prior to any construction activities a silt containment curtain shall be installed around the project work area to minimize any impacts from disturbed sediments which may occur during pile driving activities. This silt curtain shall remain in place until construction activities are completed. Any construction debris which enters Lake Washington shall be immediately retrieved and placed on the construction barge.

**Nexus:** SEPA Environmental Regulations

**2. Vegetation**

**Impacts:** The applicant submitted a Biological Evaluation/Habitat Data Report, dated November 23, 2011. That report identifies that upland restoration of the overall Barbee Mill site involved planting along the Lake Washington shoreline including plantings on the subject property. The study states that existing riparian vegetation and additional plantings in conjunction with the proposed project would assist in restoring the ecological function of Lake Washington. Plants proposed would be installed from the back of the existing rockery upland. The width of the planting area would be approximately 8 feet. Proposed plantings include Red Twig Dogwood (*Cornus sericea*), Oceanspray (*Holodiscus discolor*), Pacific Ninebark (*Physocarpus capitatus*), and Pacific Willow (*Salix lucida* ssp. 'Lasiandra'). Groundcovers include Kinnikinnick (*Arcostaphylos uva-ursi*), Low Oregon Grape (*Mahonia nervosa*), and Broad-leaved Penstemon (*Penstemon ovatus*). Additional native plants would be installed in conjunction with the joint use dock.

The proposed project will take place primarily in-water and no disturbance of the restored upland vegetation would occur.

**Mitigation Measures:** No further mitigation is required.

**Nexus:** Not applicable.

**3. Wildlife**

**Impacts:** The Biological Evaluation/Habitat Data Report submitted for the proposed project has identified the following bird species observed on or near the project site: hawks, herons, eagles, quail, osprey, cormorants and songbirds. In addition, the studies indicate that salmonids observed at the site include salmon and trout. Salmonids known to be present in southern Lake Washington include Puget Sound Chinook salmon, Coho salmon, sockeye salmon, steelhead trout, bull trout and cutthroat trout. Puget Sound Chinook, Puget Sound steelhead and bull trout are all listed as threatened under the Endangered Species Act (ESA). Previous shoreline remediation accomplished

in conjunction with the development of the plat was designed to be consistent with Water Resource Inventory Area (WRIA) 8 Conservation Plan recommendations. As a result of remediation, shoreline that was previously unsuitable habitat for fish and other aquatic life due to extensive shoreline modifications and industrial use of the site has been restored. The restored gravel substrate and gently sloping bottom should provide favorable habitat for winter rearing of salmon fry. The new gravel substrate to the north and the existing cobble on the subject site should be suitable habitat for benthic invertebrates which would likely attract juvenile salmonids.

Construction and operation of the proposed dock could impact salmonids; therefore, the design of the ramp and dock and construction techniques employed must be accomplished to protect the salmonids. The dock would be fully grated, allowing light to pass through the decking, and illuminating areas where predator fish might hide. The dock entry portion would be 3'-10.5" in width and the pier portion would be 5'-10.5" wide. No lighting has been indicated. The Washington Department of Fish and Wildlife has established a construction time or "fish window" for this portion of Lake Washington. The fish window allows for overwater construction to occur only between the July 16 and December 31 of any given year. Staff recommends that the applicant be required to adhere to this established construction window.

The proposed dock construction sequencing and mitigation proposed by the applicant would include the installation of a silt curtain (see Section 1. Water, above). The silt curtain and containment boom discussed in Section 1. Water, above, should minimize impacts to fish species as a result of construction activities associated with the proposed project.

In addition, recently planted riparian vegetation and additional plantings in conjunction with the proposed project would benefit fish by assisting in restoration of the ecological function of Lake Washington. Plants proposed would be installed from the back of the existing rockery upland and would include Red Twig Dogwood, Oceanspray, Pacific Ninebark, and Pacific Willow. Groundcovers include Kinnikinnick, Oregon Grape, and Broad-leaved Penstemon.

An email received on February 16, 2012 from the Muckleshoot Tribes Fisheries Division identifies additional mitigation measures which could enhance shallow water habitat for juvenile salmon. These additional measures include placing emergent plants in front of the bulkhead and providing spawning gravel along the nearshore of the properties.

Staff recommends that the applicant adhere to the following mitigation measures.

**Mitigation Measures:**

1. Prior to completion of construction the applicant shall provide the Planning Division Project Manager with proof that emergent plantings have been placed in front of the bulkhead associated with the subject properties and has placed spawning gravel along the nearshore area of the properties.

2. Construction shall take place only during the Department of Fish and Wildlife approved construction window from July 16 through December 31.
3. The applicant shall follow the recommended Conservation Measures of the Biological Evaluation/Habitat Data Report, dated May 15, 2009, prepared by Marine Surveys & Assessments.

**Nexus:** SEPA Environmental Regulations; Shoreline Master Program

#### **E. Comments of Reviewing Departments**

The proposal has been circulated to City Department and Division Reviewers. Where applicable, their comments have been incorporated into the text of this report and/or "Advisory Notes to Applicant."

- ✓ **Copies of all Review Comments are contained in the Official File and may be attached to this report.**

**Environmental Determination Appeal Process:** Appeals of the environmental determination must be filed in writing on or before 5:00 PM, May 11, 2012.

Renton Municipal Code Section 4-8-110.B governs appeals to the Hearing Examiner. Appeals must be filed in writing at the City Clerk's office along with the required fee. Additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall - 7th Floor, 1055 S. Grady Way, Renton WA 98057.

#### **ADVISORY NOTES TO APPLICANT**

**The following notes are supplemental information provided in conjunction with the administrative land use action. Because these notes are provided as information only, they are not subject to the appeal process for the land use actions.**

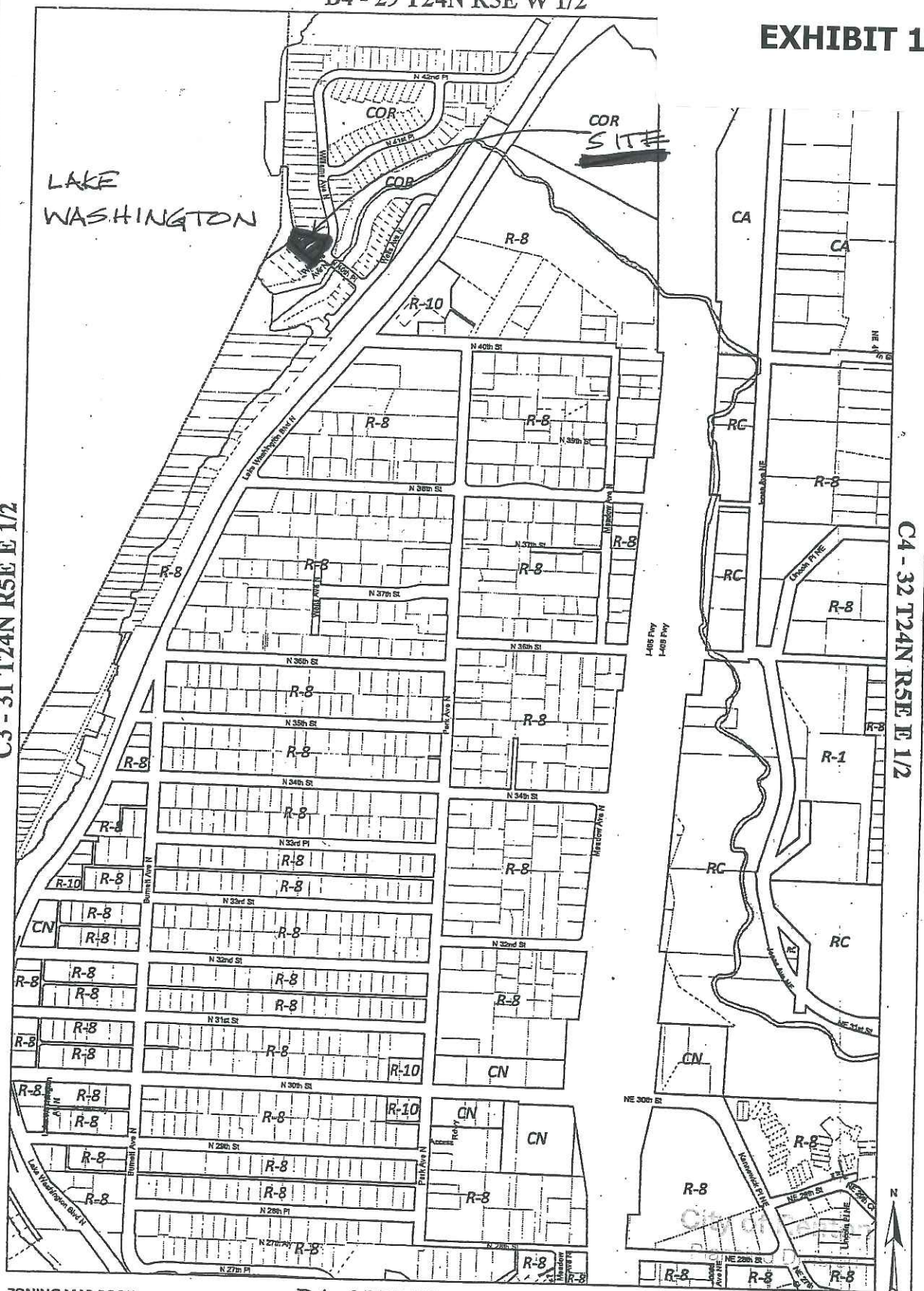
##### **Planning:**

1. Construction activities shall be restricted to the hours of 7:00 am and 8:00 am, Monday through Friday. Work on Saturdays shall be between the hours of 9:00 am and 8:00 pm. No work shall be permitted on Sundays.
2. The approved WDFW construction window is from July 16 through December 31.

##### **Water:**

1. If the project is going to provide water service to the dock, an appropriate back flow device will be required.

## EXHIBIT 1



C4-32 T24N R5E E 1/2

D4 - 05 T23N R5E W 1/2

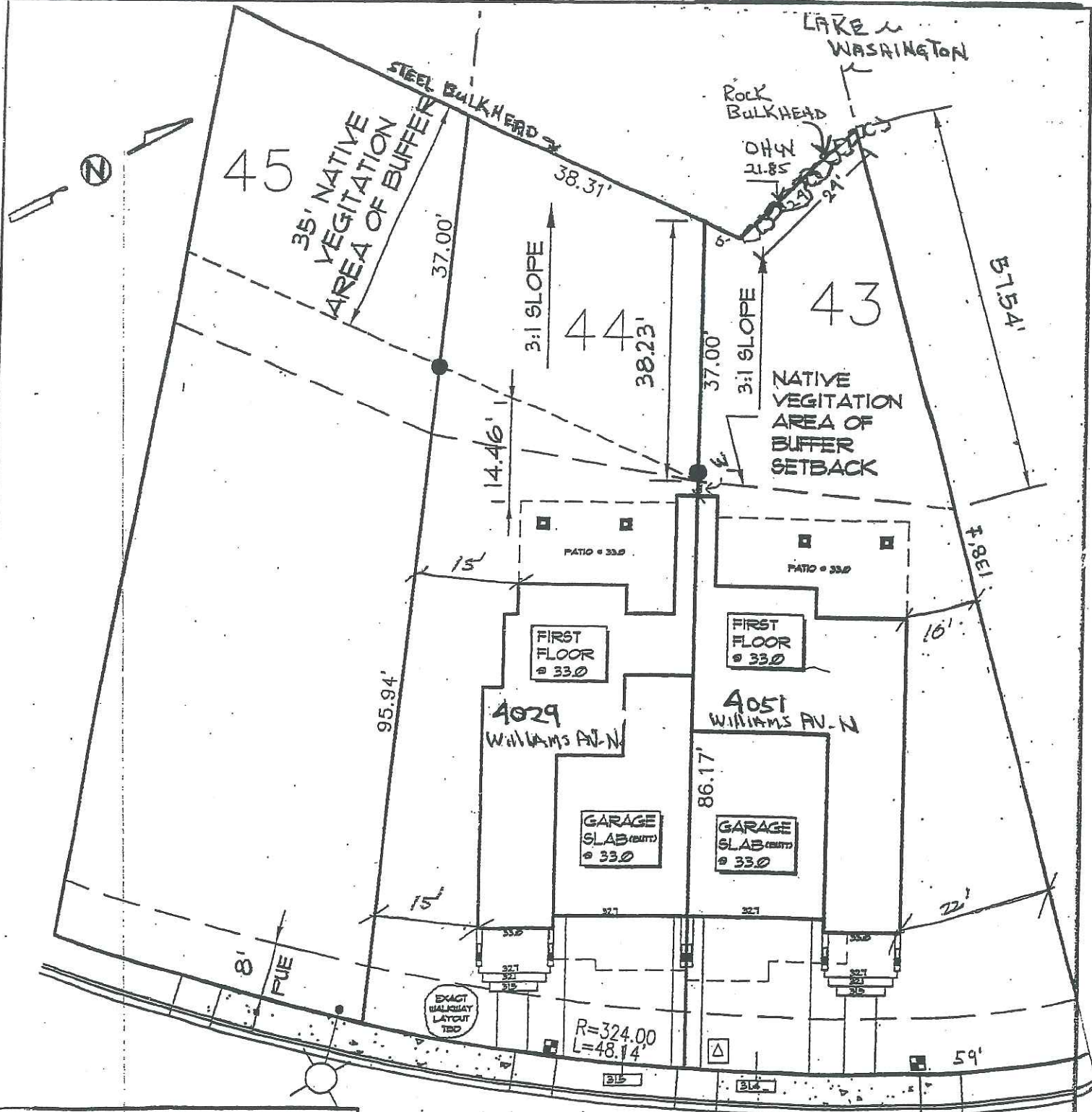


JAN 23 1961

# C4

32 T24N R5E W 1/2

5432



### LEGEND

■ = WATER METER

△ = STREET LIGHT JUNCTION BOX

☀ = STREET LIGHT

PUE - PUBLIC UTILITY & SIDEWALK EASEMENT

WILLIAMS AVE N

EXISTING  
SITE PLAN

City of Renton  
Planning Division

Purpose: Provide joint-use waterfront moorage and recreation.

Return: Corps of Engineers 1919

Adjacent Property Owners:

Paul Joos  
4057 Williams Ave. North  
Renton, WA. 98056

2) Conner Homes  
846 108th Ave. NE  
Renton, WA. 98056

Proposed: Construct a new joint use residential pier supported by eight 8" epoxy coated steel piles and with a 30' X 4' inshore and a 50' X 6' dock. The new pier will be fully grated.

In: Lake Washington

At: Mercer Island

County: King

Applicant: Alan Bohling

Site address: 4029 7 4051 Williams Ave. North  
Renton, WA. 98056

Date: 6-1-11

Page 1 of 2

EXHIBIT 2

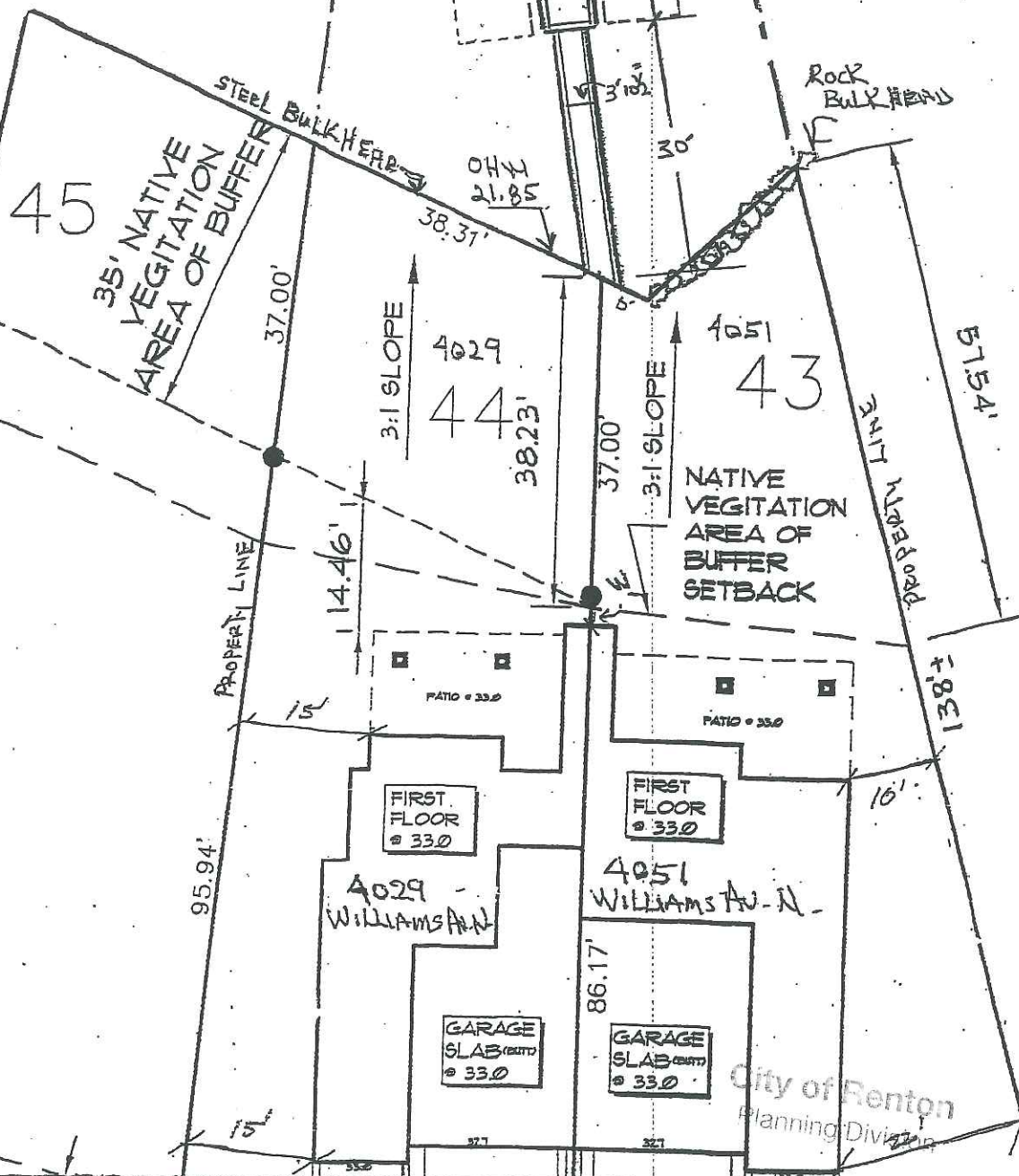
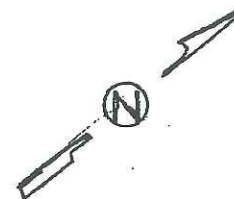
# PROPOSED SITE PLAN

SCALE 1" = 20'

LAKE: <sup>W</sup>  
WASHINGTON

PROPOSED  
PIER

PROPOSED  
BOAT LIFT  
STATIONS



Purpose: Provide joint-use waterfront moorage and recreation.

Datum: Corps of Engineers 1919

Adjacent Property Owners:

1) Paul Joos  
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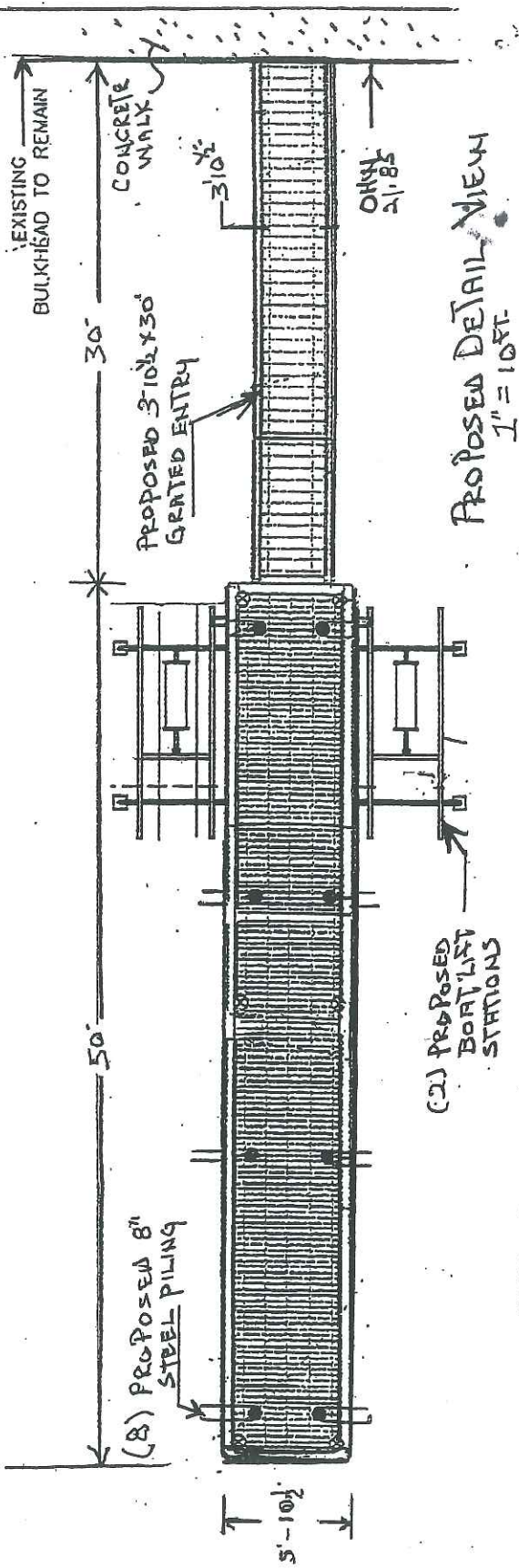
Site address: 4029 7 4051 Williams Ave. North  
Renton, WA. 98056

Date: 6-1-11

Page 2 of 2

**EXHIBIT 3**

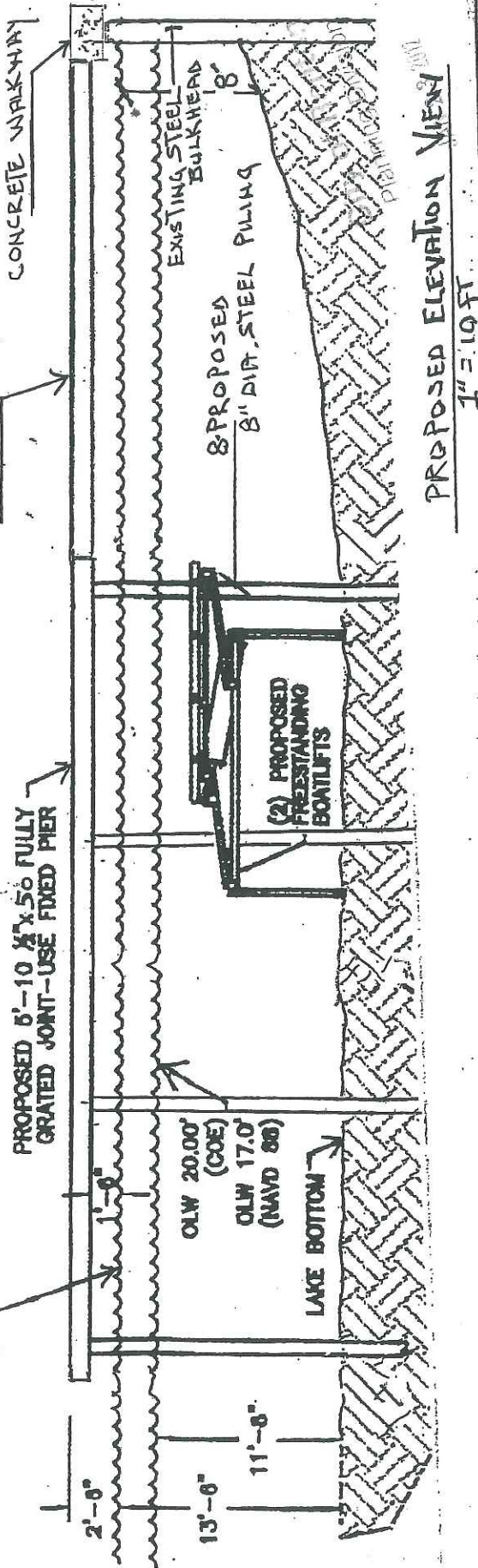
# EXHIBIT 4



PROPOSED 3'10 1/2' X 30' GRATED ENTRY SECTION

PROPOSED 6'-10 1/2' X 56' FULLY GRATED JOINT-USE FIXED PIER

OHWL 21.00' (COE)  
OHWL 12.00' (NAVD 88)



Proposed: Construct a new joint use residential pier supported by eight 8" epoxy coated steel piles and with a 30' X 4' inshore and a 50' X 6' dock. The new pier will be fully grated.



purpose: Provide joint-use waterfront  
storage and recreation.

attest: Corps of Engineers 1919

dissect Property Owners:  
1 Paul Joss  
4057 Williams Ave. North  
Renton WA 98057

2) Connor Homes  
846 106th Ave. NE  
Renton WA 98057

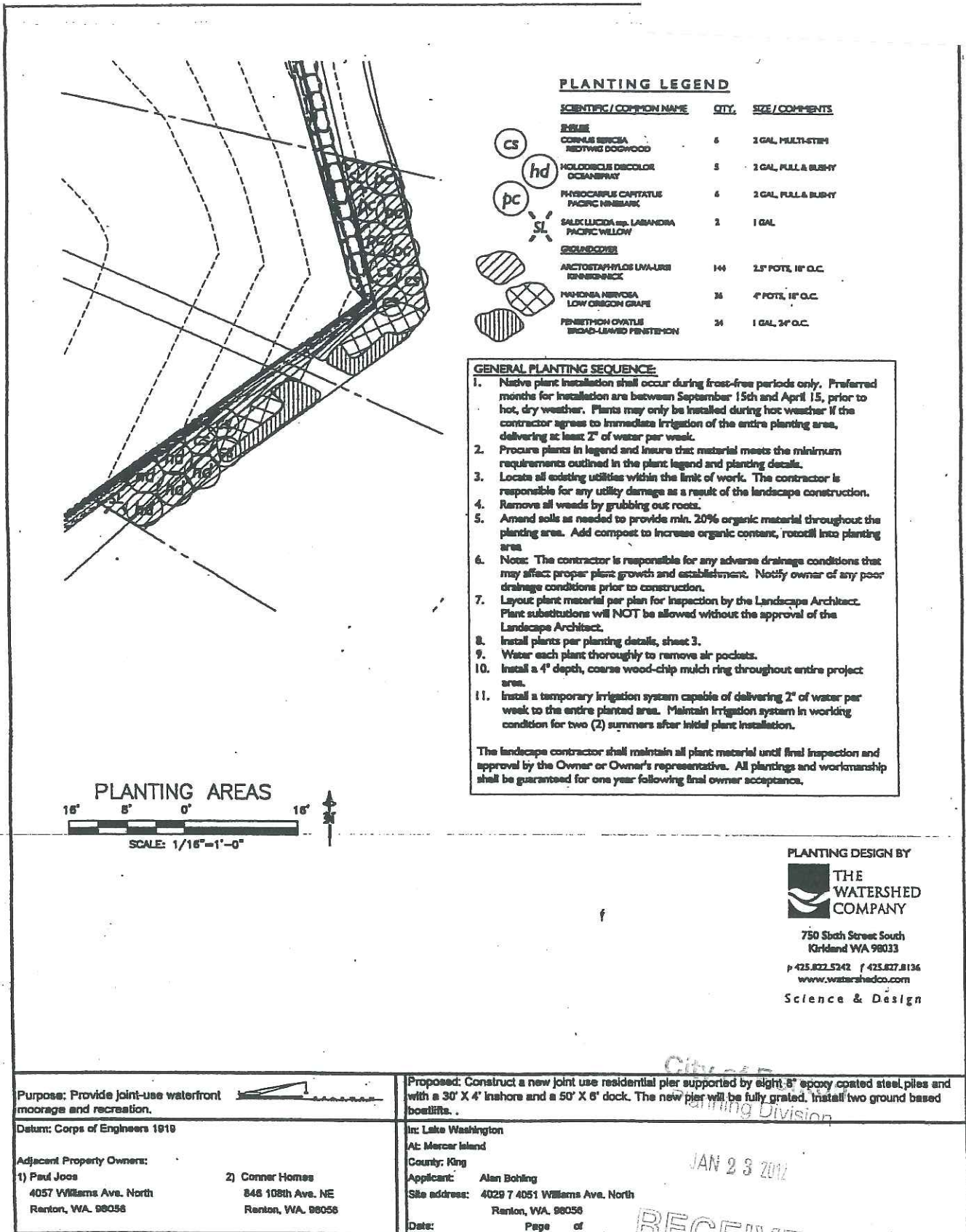
Applicant: Alan Bohling  
County: King  
Site address: 4029 74051 Williams Ave. North  
Denton WA 98057

At: Mercer Island  
Inc: Lake Washington

RECEIVED

Figure 10. Planting plan

EXHIBIT 5



# EXHIBIT 6

August 24, 2011

City of Renton  
Development Services Division  
1055 South Grady Way  
Renton, WA 98055

City of Renton  
Planning Division

JAN 29 2012

RECEIVED

Re: Construction Mitigation Description

Project Name: 4029 & 4051 Williams Avenue N. / Joint Use Dock

Location: 4051 & 4029 Williams Ave. North Drive Renton, WA 98056  
Owner: Alan Bohling & Charles Wu

The project will be completed within the timing conditions set by The Department of Fish & Wildlife and Corps of Engineers, July 16 - December 31. The hours will be between 7am and 4pm Monday through Friday.

A best management plan will be implemented to minimize any impacts to the surrounding areas.

A containment boom will be utilized for erosion and debris control.

The complete project will be completed by a barge mounted crane.

Pile driving will be completed utilizing a 3000 lb gravity hammer and a block of wood for impact, noise and vibration control.

Sincerely,

SEABORN PILE DRIVING COMPANY